

## C H A P . 1 0 4

An Act to amend the act 14-15 Victoria, chapter 176, concerning the Temporalities of the Church of England in Canada in the Diocese of Montreal in order to remove doubts.

[Assented to 24th March, 1911]

**W**HEREAS the Synod of the diocese of Montreal, duly incorporated by act of the Legislature of this Province 31 Victoria, chapter 38, hath by its petition prayed that to remove doubts in regard to the power to mortgage under the terms of section XXI of the act 14-15 Victoria, chapter 176, of the heretofore Province of Canada, the said act should be amended, and it is expedient to grant the prayer of such petition;

Therefore His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Section 21 of the act 14-15 Victoria, chapter 176, of the heretofore Province of Canada is replaced by the following :

**"21.** And be it enacted, that the Bishop of the said Church, in the said diocese, for the time being, shall have the administration of all lands and personalties vested in him or his predecessors in office, or conveyed to him or them for the endowment of his See, or for the general use of the said Church or for the use of any particular church or chapel then erected or thereafter to be erected, or for the endowment of any parsonage, church, chapel, or living, or for other uses or purposes appurtenant to such United Church in general, or to any particular church or parish, and shall have power to borrow money and to sell, alienate and transfer any lands or personalty, and hypothecate or mortgage any immoveable property, vested in, or conveyed to him as aforesaid, for the general uses or purposes of the said See or of the said Church, and shall also have power, by and with the consent and participation of the incumbent and corporation of the parish wherein the same may be situate, to borrow money and to sell, alienate and transfer any land or personalty, and hypothecate or mortgage any immoveable property, vested in or conveyed to him as aforesaid, for the endowment of any parsonage or living, or for uses or purposes appurtenant to any particular church, chapel or parish ; and the parson or other incumbent of any parsonage, church, chapel or living, to whom any lands or personalty shall have been or may be conveyed for the endowment of such parsonage, church, chapel or living, or for other uses or purposes appurtenant thereto, shall have power to borrow

Preamble.

14-15 V., c. 176, s. 21, replaced.

Powers of Bishop, &c.

money and to sell, alienate or transfer the same, and to hypothecate or mortgage immoveable property, by and with the consent and participation of the bishop of the said Church in the said diocese, for the time being ; provided always, that the price or consideration of such mortgage, sale, alienation or transfer be applied to the uses and purposes for which the land or personalty so mortgaged, sold, alienated or transferred was conveyed: And provided also that such mortgage, sale, alienation or transfer be not inconsistent with, or contrary to the conditions of the deed of conveyance to the said Church, or to any bishop thereof, or to such parson or incumbent, as the case may be, of the land or personalty so to be mortgaged sold, alienated or transferred.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 105

An act to authorize the Rector and Churchwardens of St. Matthias church, Westmount, to borrow money, and for other purposes.

[Assented to 24th March, 1911]

Preamble.

**W**HEREAS the Reverend Edward Bushell, M. A., Thomas Brophy, Esq., and Henry Elgie Suckling, Esq., all of the city of Westmount, in the district of Montreal, in their quality of Rector and Churchwardens, respectively, of the church of St. Matthias in the city of Westmount aforesaid, and a body politic and corporate, duly incorporated under the name of "The Incumbent and Churchwardens of the church of St. Matthias of the city of Westmount, in the Diocese of Montreal", in virtue of the provisions of the act 14-15 Victoria, chapter 176, as amended by the act 53 Victoria, chapter 123, have presented a petition praying for the passing of an act to permit the said corporation to undertake the matters and things hereinafter set forth, and whereas it is expedient to grant such petition;

Therefore His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Loans authorized.

1. The said corporation is hereby authorized and permitted to borrow, from time to time, a sum or sums of money not exceeding fifty thousand dollars, at such rates of interest and for such term or terms of years as it may approve.